

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. David A Fletcher

Docket No. 0650 3:09CR00243 - 1

Petition for Action on Conditions of Pretrial Release

COMES NOW Dariel S Blackledge-White, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant David A Fletcher
who was placed under pretrial release supervision by the Honorable John S. Bryant, U.S. Magistrate Judge
sitting in the Court at Nashville, Tennessee, on October 21, 2009, under the following
conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page two of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Dariel S Blackledge-White Nashville, TN December 18, 2012
U.S. Pretrial Services Officer Place: Date:

Next Scheduled Court Event Not Scheduled
Event Date

PETITIONING THE COURT

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Action | <input type="checkbox"/> To issue an order setting a hearing on the petition |
| <input type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> Other |

THE COURT ORDERS:

- | | |
|--|---|
| <input checked="" type="checkbox"/> No Action <i>is recommended</i> | <input type="checkbox"/> A Hearing on the Petition is set for |
| <input type="checkbox"/> The Issuance of a Warrant. | |
| <input type="checkbox"/> Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only) | Date _____ Time _____ |
| <input type="checkbox"/> Other | |

Considered and ordered this 7th day
of January 2010, and ordered filed
and made a part of the records in the above
case.

William J. Haynes, Jr.
Honorable Chief Judge William J. Haynes, Jr.
U. S. District Judge

Honorable Chief U.S. District Judge William J. Haynes, Jr.
Second Petition for Action on
FLETCHER, David A.
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On October 15, 2009, defendant David A. Fletcher appeared before the Honorable John S. Bryant, U.S. Magistrate Judge, for an Initial Appearance as a result of being charged with violating Title 18 U.S.C. §§ 922(g)(1) and 924, to wit: Convicted Felon in Possession of a Firearm.

On October 21, 2009, a detention hearing was held, and the defendant was released on a personal recognizance bond with pretrial supervision. At the time of the defendant's detention hearing, the Government provided the Court with a letter from the Judges of the 12th Judicial District for the State of Tennessee, which reflected that the defendant is a convicted felon, and according to Tennessee Code Annotated 40-11-318, "no person who has been convicted of a felony shall serve as a bounty hunter." The letter was signed by all of the Judges in the 12th Judicial District, and sent out to all Davidson County bonding companies.

On May 17, 2011, a Petition for Action on Conditions of Pretrial Release was submitted to the Court alleging that on January 26, 2011, the defendant possessed a pellet gun and represented to a law enforcement officer that he was in the business of repossessing vehicles and also "hunting individuals," in violation of the order signed by the 12th Judicial District Judges. The petition also alleged that on May 12, 2011, the defendant threatened a witness in the instant federal offense, Darron Grundman. A warrant was requested, and the Honorable John S. Bryant concurred with this recommendation.

On May 20, 2011, a bond revocation hearing was held, and the defendant was released on the same bond conditions. A special condition prohibiting him from having any contact, either directly or indirectly, with witness Darron Grundman was imposed.

Special Conditions of Release:

Please reference the attached Order Setting Conditions of Release.

VIOLATION(S):

Violation No. 1: The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.

On December 7, 2012, the defendant's sister, Opel Fletcher, contacted Metropolitan Nashville Police Officers and swore out a warrant against the defendant for Aggravated Assault (Case No. GS612224). According to the affidavit, on December 7, 2012, the defendant arrived at Ms. Fletcher's residence and attempted to take their mother to an appointment. Ms. Fletcher reported that Mr. Fletcher advised her that he was not going to take their mother on her errand. An argument ensued and, according to Ms. Fletcher, the defendant told her that he would "mess her up." Opel Fletcher said she advised the defendant that she was not afraid of him. She stated that Mr. Fletcher then pulled up his shirt and pulled a pistol from his holster. Ms. Fletcher indicated the defendant

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again stated that he would “mess her up.” She advised she called the police, and the defendant left the scene before officers arrived. Ms. Fletcher also filed an Order of Protection against the defendant.

On the same date, the defendant turned himself on the warrant and was released on a \$15,000 bond. A court date for the Order of Protection was set for December 18, 2012. As to the Aggravated Assault charge, a trial date has been scheduled for February 13, 2013.

Current Status of Case:

On August 23, 2012, Your Honor declared a mistrial after the jury was unable to reach a unanimous decision. As of this date, the Government has informed a determination has not been made as to whether the defendant will be retried.

Probation Officer Action:

On December 7, 2012, the defendant contacted his pretrial services officer and reported that he had been involved in a verbal altercation at his sister’s home. The supervising officer advised the defendant to stay away from his sister’s residence and to turn himself in if he discovered an active warrant for his arrest existed.

On December 11, 2012, the defendant reported to the U.S. Probation and Pretrial Services Office and met with Supervisory U.S. Probation Officer W. Burton Putman. Mr. Fletcher provided copies of court documents related to the Aggravated Assault charge, and he denied he owned or possessed a firearm.

Mr. Fletcher also provided a copy of an Order Granting Bail for Abuse Cases titled the State of Tennessee vs. Opel Fletcher. He informed Officer Putman that, over the weekend, several of his siblings turned his sister, Opel, in for abusing their mother. According to Mr. Fletcher, his mother was removed from Opel Fletcher’s home and placed with another sibling.

During a review of the Davidson County Criminal Court Clerk’s website and Metropolitan Nashville Police Department records, this officer discovered that on December 9, 2012, Opel Fletcher was arrested and charged with Assault, Domestic Bodily Injury (Case No. GS612410). Ms. Fletcher’s next court appearance is scheduled for February 12, 2013.

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Respectfully Petitioning the Court as Follows:

As there are extenuating circumstances surrounding the defendant's arrest for Aggravated Assault, Pretrial Services respectfully recommends that no action be taken at this time. However, if the defendant is convicted of any offense related to his state charge, a Petition for Action on Conditions of Pretrial Release will be submitted to the Court, and a warrant will be requested. Assistant United States Attorney Clay Lee has been advised of the most recent violations.

Approved:

A handwritten signature in cursive script, appearing to read "William Putman", is written over a horizontal line.

William Burton Putman
Supervisory U.S. Probation Officer

xc: Clay Lee, Assistant U.S. Attorney
David Cooper, Defense Counsel